



UCCSN

2601 Enterprise Rd.

Reno, NV 89512

Tel: (775) 784-4905

Fax: (775) 784-1127

•

5550 W. Flamingo Rd.

Suite C-1

Las Vegas, NV 89103

Tel: (702) 889-8426

Fax: (702) 889-8492

www.nevada.edu




2003 Legislative Summary

Legislation affecting the UCCSN
from the 72nd Session and
20th Special Session of the
Nevada State Legislature



Contents

Introduction from Chancellor Jane Nichols	2
History of UCCSN Requested Bills	3
Overview of Enacted Legislation: 72nd Session	4
Summary of Enacted Legislation: 72nd Session	9
Assembly Concurrent Resolution	9
Assembly Joint Resolution	9
Assembly Bills	9
Senate Concurrent Resolutions	14
Senate Bills	14
Overview of Enacted Legislation: 20th Special Session	19
Summary of Enacted Legislation: 20th Special Session	20
Assembly Bills	20



Introduction



This report has been prepared by the University and Community College System of Nevada to summarize legislation from the 72nd Session and 20th Special Session of the Nevada State Legislature that will impact our public system of higher education. There were no bills enacted during the 19th Special Session that affected the UCCSN.

From the beginning, our commitment was to work closely with Gov. Kenny Guinn and members of the Nevada Legislature to ensure Nevada meets the growing demands for a quality education by our state's citizens.

Although our state experienced a history-making tax impasse that took us through a regular session, two special sessions, a ruling by the Supreme Court of Nevada, and a hearing before the U.S. Circuit Court, our governor and state representatives once again demonstrated their commitment to higher education.

I hope this summary will assist you in reviewing key legislation that affects the UCCSN's institutions, faculty, employees and students.

Sincerely,

A handwritten signature in dark ink that reads "Jane A. Nichols". The signature is fluid and cursive, with the first name "Jane" being the most prominent.

Dr. Jane Nichols
Chancellor

History of UCCSN Requested Bills

The following measures were requested by and introduced on behalf of the University and Community College System of Nevada. The following summaries provide a brief history of action taken during the 2003 Regular Session of the Nevada Legislature on the bills specifically requested by the UCCSN.

Senate Bill 208 was ultimately not approved by the Nevada Legislature during its 2003 regular session. As introduced, this measure required the transfer of \$230,680 from the Fund for School Improvement to the UCCSN to provide scholarships for students pursuing degrees in teaching. In its original version, the bill received a hearing before the Senate Committee on Finance where on May 21, 2003, it was voted out of committee “amend and do pass.” The bill was amended, eliminating the funding for teacher scholarships and replacing it with a provision that, if enacted, would have appropriated \$122,000 in loans for the UCCSN nursing programs. When the bill reached the Senate floor for consideration by the full House, the bill was placed on the Senate Secretary’s desk and received no further action.

Senate Bill 413 (Chapter 299, *Statutes of Nevada 2003*) is the only bill requested by the UCCSN to be enacted into state law during the 2003 Regular Session of the Nevada Legislature. The measure increases the authorized principal amount of bonds and other securities from a maximum of \$110.5 million to \$176 million for the University of Nevada, Reno, and increases the maximum from \$106.5 million to \$199 million for the University of Nevada, Las Vegas.

This measure is effective upon passage and approval.

Senate Bill 418 was not approved during the 2003 Regular Session of the Nevada Legislature. As introduced, the measure allowed the UCCSN to carry forward 50 percent of unexpended appropriations from one fiscal year to the following fiscal year. The bill received a hearing before the Senate Committee on Finance on April 2, 2003; however, the Committee did not take action on the bill, effectively killing the bill under the Legislature’s rules for committee passage in the first House.

Overview of Enacted Legislation: 72nd Session

Bill	Topic	Statutes of Nevada 2003
------	-------	----------------------------

Assembly Concurrent Resolution

ACR 10	Public Employees' Benefits Program Directs the Legislative Commission to conduct an interim study of the operations of the Public Employees' Benefits Program.	File No. 91
--------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------

Assembly Joint Resolution

AJR 11	Appointment of Board of Regent Members Proposes to amend the Nevada Constitution to provide for the election and the gubernatorial appointment of certain members of the Board of Regents.	File No. 85
--------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------

Assembly Bills

AB 33	Manufacture of Methamphetamine Near Campus Provides for an additional penalty to be imposed upon a person who is convicted of manufacturing methamphetamines in certain proximity of a University and Community College System campus and certain other locations.	Chapter 11
AB 148	UCCSN Audit Requires the Legislative Auditor to conduct an audit of the University and Community College System of Nevada and the Board of Regents of the University of Nevada.	Chapter 442
AB 185	Workers' Compensation for Sports Officials Excludes sports officials from the definition of "employee" for the purposes of provisions governing workers' compensation.	Chapter 293
AB 203	Committee to Evaluate Higher Education Programs Creates the Committee to Evaluate Higher Education Programs and providing for its organization, powers, and duties.	Chapter 443

Bill	Topic	Statutes of Nevada 2003
AB 246	UNLV Center for Crime Statistics Establishes the Center for the Analysis of Crime Statistics at the University of Nevada, Las Vegas.	Chapter 116
AB 313	Subcommittee of the Legislative Committee on Health Care Directs the Legislative Committee on Health Care to appoint a subcommittee to conduct an interim study of the staffing of the health care system in Nevada.	Chapter 410
AB 353	Student Information Provides certain restrictions upon the disclosure of personally identifiable information concerning students for commercial and noncommercial uses.	Chapter 405
AB 375	Board of Regents Districts Makes minor housekeeping changes to districts from which certain members of the Legislature, State Board of Education, and Board of Regents are elected.	Chapter 135
AB 392	Longevity Pay Increases the amount of longevity payments to state employees.	Chapter 412
AB 398	Energy Measure Establishes an alternative procedure pursuant to which certain performance contracts for the installation or purchase of cost-savings energy measures in buildings occupied by state and local government entities are bid.	Chapter 480
AB 441	Homeland Security Requires certain governmental entities to place automated external defibrillators in certain buildings and facilities.	Chapter 402
AB 507	Transfer of Community College Credits Revises provisions governing the transferability of certain community college credits toward the requirements for an award of a baccalaureate degree from a university or state college within the University and Community College System of Nevada.	Chapter 235

Bill	Topic	Statutes of Nevada 2003
AB 510	Preparation for College Entrance Examinations Revises provisions governing the informational pamphlet concerning the high school proficiency examination to include certain information regarding preparation for the college entrance examination.	Chapter 171
AB 534	State Public Works Board Authorizes the manager of the State Public Works Board to issue orders to compel the cessation of work on state public works under certain circumstances, and providing other related matters.	Chapter 404
AB 544	Retired Employees Group Insurance Establishes for the next biennium the amount to be paid by this state for group insurance for certain public employees, public officers, and retired public employees.	Chapter 439
AB 553	Appropriations Act Makes appropriations from the State General Fund and the State Highway Fund for the support of the civil government of Nevada for Fiscal Years 2004 and 2005.	Chapter 327
AB 555	Pay Bill Increases salaries for certain public employees.	Chapter 441

Senate Concurrent Resolutions

SCR 3	Cooperative Extension and Suicide Prevention Urges each community in Nevada to form a coalition of agencies and service providers to reduce the number of suicides.	File No. 29
SCR 15	Alcohol and Drug Abuse by Young Adults Encourages the Department of Human Resources to study the problem of alcohol and drug abuse by teenagers and young adults while driving motor vehicles.	File No. 62

Bill	Topic	Statutes of Nevada 2003
-------------	--------------	------------------------------------

SCR 19	UNR/UNLV Athletic Conference Urges the Athletic Directors of UNR and UNLV to consider the feasibility of reuniting the campuses in the same athletic conference and to schedule the annual rivalry football game between their teams on the Saturday following Nevada Day.	File No. 65
SCR 34	Dorothy Gallagher Commends Dorothy Gallagher for her service to her community, the University and Community College System of Nevada, and the State of Nevada.	File No. 52

Senate Bills

SB 62	Electronic Instructional Material Requires an institution within the University and Community College System of Nevada to provide electronic versions of instructional materials to students with print access disabilities.	Chapter 175
SB 277	State Purchasing Requires a using agency to purchase prescription drugs, pharmaceutical services, or medical supplies and related services only through the Purchasing Division of the Department of Administration under certain circumstances.	Chapter 97
SB 297	Personal Identifying Information Prohibits a public officer or public employee from committing certain unlawful acts relating to personal identifying information.	Chapter 257
SB 309	Participatory Democracy Establishes the Advisory Committee on Participatory Democracy within the Office of the Secretary of State.	Chapter 387
SB 317	Corrections Education Authorizes the University and Community College System of Nevada to offer courses that lead to a postsecondary degree for incarcerated persons.	Chapter 259

Bill	Topic	Statutes of Nevada 2003
SB 352	Nevada Cancer Institute Designates the Nevada Cancer Institute as the official cancer institute of the State of Nevada.	Chapter 417
SB 397	Sex Offenders Requires sex offenders and offenders convicted of a crime against a child who are enrolled in or work at institutions of higher education to register with local law enforcement agencies in whose jurisdiction the institutions of higher education are located.	Chapter 99
SB 413	UCCSN Revenue Bonds Increases the total authorized principal amount of certain revenue bonds the Board of Regents may issue for facilities at UNR and UNLV.	Chapter 299
SB 415	Estate Tax Account Removes certain restrictions on the use of money in the Estate Tax Account in the Endowment Fund of the University and Community College System of Nevada.	Chapter 428
SB 434	Qualified Tuition Program Exempts for execution by creditors certain money held in a trust forming part of a qualified tuition program under certain circumstances.	Chapter 324
SB 456	Uniform Athletes' Agents Act Revises various provisions of the Uniform Athletes' Agents Act.	Chapter 374
SB 503	Millennium Scholarship Qualifications Revises the minimum qualifications for receipt of a Millennium Scholarship.	Chapter 471
SB 504	Authorizations Act Authorizes expenditures by various officers, departments, boards, agencies, commissions, and institutions of the state government for the Fiscal Years 2004 and 2005.	Chapter 328
SB 507	Capital Improvement Projects Authorizes the issuance of general obligation bonds of the State of Nevada and making appropriations for certain capital improvement projects.	Chapter 512

Summary of Key Legislation: 72nd Session

Following are summary reviews of the bills and resolutions enacted during the 2003 Session of the Nevada Legislature that in some manner impact the University and Community College System of Nevada. These summaries do not constitute a legal analysis and are not intended to be used in place of the *Nevada Revised Statutes*.

Assembly Concurrent Resolution

Assembly Concurrent Resolution No. 10

(File No. 91, *Statutes of Nevada 2003*) Directs the Legislative Commission to conduct an interim study on the operations of the Public Employees' Benefits Program. The appointed committee members will be comprised of three members each from the Assembly and the Senate. The appointed chairman of the committee will select an advisory committee of at least nine members who are not legislators, which may include representatives from the Retired Public Employees of Nevada, the Nevada Association of Counties, the State of Nevada Employees Association, other local public employee organizations, in addition to a health care provider and a risk management specialist. The study must include an examination of 16 key financial and operational factors affecting the program, including the methods used for determining premiums and employee contribution, a review of the administration and solvency of the fund, a review of the financial contributions that non-state public employers have made to assist their retired employees in maintaining health insurance coverage, and consideration of the feasibility and financial impact of the State of Nevada forming one or more purchasing

coalitions with surrounding states or private entities.

Assembly Joint Resolution

Assembly Joint Resolution No. 11

(File No. 85, *Statutes of Nevada 2003*) Proposes to amend the *Nevada Constitution* to provide for the election of certain members of the Board of Regents and the gubernatorial appointment of certain members of the Board of Regents. The Board shall consist of nine members, one elected from each congressional district, and the remaining members will be appointed by the Governor. Expiration of the four-year terms will be staggered every two years for elected and appointed members.

This resolution will return for consideration during the 2005 Session of the Nevada Legislature. If the measure is adopted in identical form during the 2005 Session, it will be placed on the ballot for consideration by the people of Nevada, after which the resolution will become effective on January 1, 2008, for the purposes of nominating and electing members from each congressional district, and on January 5, 2009, for all other purposes.

Assembly Bills

Assembly Bill 33

(Chapter 11, *Statutes of Nevada 2003*) Provides that any person who violates state law with the manufacture of any material, compound, mixture, or preparation that contains any quantity of methamphetamine within 500 feet of a resident, business, church, synagogue or other place of worship, public or private school,

During the 2005 Session, the Nevada Legislature will again consider if it is appropriate that Board of Regents members be selected through appointments by the governor.

campus of the University and Community College System of Nevada, playground, public park, public swimming pool, recreational center for youths, or in the presence of a person under age 18 will be punished by imprisonment in state prison.

This measure is effective October 1, 2003.

Assembly Bill 148

(Chapter 442, *Statutes of Nevada 2003*) Requires the Legislative Auditor to conduct an audit of the University and Community College System of Nevada and the Board of Regents. The audit must review capital construction projects, utilization of host accounts, and policies and procedures for the generation and distribution of investment income. A report on the final audit must be submitted to the Audit Subcommittee of the Legislative Commission no later than February 7, 2005. Further, the UCCSN must transfer to the Audit Division of the Legislative Counsel Bureau \$90,000 to cover the costs of the audit. Any unexpended funds remaining after February 7, 2005, will revert to the UCCSN.

This measure is effective July 1, 2003.

Assembly Bill 185

(Chapter 293, *Statutes of Nevada 2003*) Revises the definition of “employee” used under the Nevada Industrial Insurance Act and the Nevada Occupational Diseases Act to exclude any person who performs services as a sports official for a nominal fee at a sporting event that is amateur, intercollegiate, or interscholastic and is sponsored by a public agency, public entity, or a private non-profit organization. The term “sports official” includes an umpire, referee, judge, scorekeeper, timekeeper, or other

person who is a neutral participant in a sporting event.

This measure is effective July 1, 2003.

Assembly Bill 203

(Chapter 443, *Statutes of Nevada 2003*) Creates the Committee to Evaluate Higher Education Programs. The 16 member committee will consist of 12 voting members and four non-voting members appointed by the Majority Leader of the Senate, the Speaker of the Assembly, the Chairman of the Board of Regents, and the Governor.

The Committee must examine and evaluate the need for existing and new higher education programs to ensure Nevada’s economic progress and development, and to ensure that the educational needs of Nevada’s residents are being met. In addition, the Committee must determine whether it is feasible to reallocate existing resources within institutions to meet the critical needs of the state that are not currently being met, and determine whether appropriations from the state and student fee revenues are being efficiently distributed internally at each UCCSN campus. Finally, the Committee must recommend to the Board of Regents and the Legislature such action as may be needed for the efficient and effective operation of higher education in Nevada if the state is to progress economically and socially.

A report of the Committee’s findings and recommendations must be submitted to the Board of Regents, the Legislative Committee on Education, and the Legislative Commission prior to the convening of the 2005 Session of the Nevada Legislature.

This measure is effective July 1, 2003.

Assembly Bill 246

(Chapter 116, *Statutes of Nevada 2003*) Establishes the Center for the Analysis of Crime Statistics within the Department of Criminal Justice at the University of Nevada, Las Vegas. The measure allows the Center to apply for any available grants and accept any gifts, grants, or donations. The Center may use such monies to aid in carrying out its duties and functions.

This measure is effective upon passage and approval.

Assembly Bill 313

(Chapter 410, *Statutes of Nevada 2003*) Directs the Legislative Committee on Health Care to appoint a subcommittee to conduct an interim study concerning the staffing of the health care system in Nevada. The subcommittee must collaborate with a statewide advisory group that includes among its members a representative appointed by the University and Community College System of Nevada. The findings and recommendations of the subcommittee must be submitted to the Legislative Committee on Health Care on or before June 1, 2004.

This measure is effective October 1, 2003.

Assembly Bill 353

(Chapter 405, *Statutes of Nevada 2003*) Provides certain restrictions upon the disclosure of personally identifiable information concerning students for commercial and noncommercial uses. The bill requires the Board of Regents to prescribe a student consent form concerning directory information that a university, university foundation, state college, or community college makes public. A university, university foundation, state college, or community college must not release or disclose any personally identifiable information concerning a student

without the prior written consent of the student for certain commercial and non-commercial uses.

This measure is effective July 1, 2003.

Assembly Bill 375

(Chapter 135, *Statutes of Nevada 2003*) Makes revisions to districts from which certain members of the Legislature, State Board of Education, and the Board of Regents are elected. These changes are minor housekeeping changes only and do not impact the makeup of the districts as determined during "redistricting" in the 2001 Regular Session of the Nevada Legislature.

This measure is effective October 1, 2003.

Assembly Bill 392

(Chapter 412, *Statutes of Nevada 2003*) Increases the amount of longevity payments to state employees. The bill provides that an employee rated standard or better with eight years or more of continuous service is entitled to receive a semiannual payment of \$75 plus an annual increase of \$25 for each year of the employee's ninth through fourteenth year of continuous service. An employee will receive an annual increase of \$50 in the semiannual payment for each year of the employee's fifteenth through twenty-fourth, and an annual increase of \$75 for each year of additional service after 24 years.

This measure is effective July 1, 2003.

Assembly Bill 398

(Chapter 480, *Statutes of Nevada 2003*) Establishes an alternative procedure pursuant to which certain performance contracts for the installation or purchase of cost-savings energy measures in buildings occupied by state and local governmental entities are bid. Specifically, the

measure authorizes local governments and “using agencies” to enter into a performance contract with a qualified service company for the purchase and installation of an operating cost-savings measure to reduce costs related to energy, water, waste disposal, and related labor costs. The measure defines the term “using agency” to include the University and Community College System of Nevada.

This measure is effective July 1, 2003.

Assembly Bill 441

(Chapter 402, *Statutes of Nevada 2003*) Creates the Nevada Commission on Homeland Security and makes related changes to domestic security. Among its provisions, the bill requires that no later than July 1, 2004, the Board of Regents must ensure that at least two automated external defibrillators are placed in central locations at each of the largest indoor sporting arenas or events centers controlled by the universities.

The section of the bill concerning the Board’s mandate is effective July 1, 2003.

Assembly Bill 507

(Chapter 235, *Statutes of Nevada 2003*) Revises provisions governing the transferability of certain community college credits toward the requirements for an award of a baccalaureate degree from a university or state college within the University and Community College System of Nevada. The measure provides that under certain circumstances all credits earned in a course toward the award of an associate’s degree, including an associate’s degree in applied science, must be transferable to a university or state college within the System.

This measure is effective July 1, 2003.

Assembly Bill 510

(Chapter 171, *Statutes of Nevada 2003*) Requires the State Board of Education to prescribe a course of study to prepare pupils to pass the High School Proficiency Examination (HSPE). In addition, the bill authorizes the Board of Trustees of each school district to offer the course of study prescribed by the State Board as an elective to pupils enrolled in high school. Further, A.B. 510 revises the provisions governing the informational pamphlet concerning the HSPE to include certain information regarding preparation for college entrance examinations.

This measure is effective July 1, 2003, except for the purposes of adopting regulations it is effective on January 1, 2004.

Assembly Bill 534

(Chapter 404, *Statutes of Nevada 2003*) Allows the manager of the State Public Works Board or his designated representative to issue orders to compel the cessation of work on state public works for health or safety reasons or for violations of applicable building codes or other laws or regulations. Further, the bill authorizes the manager to serve as the building official for all buildings and structures on property of the State or held in trust for any division of state government.

In addition, the measure provides that if a state department, board, commission or agency, such as the UCCSN, provides to the State Public Works Board money that has not been appropriated by the Legislature for a capital improvement project, any interest earned on that money will accrue to the benefit of the project. Upon completion of the project, any unexpended funds must be returned to the department, board, commission, or agency that

originally provided such funds to the Board. Finally, A.B. 534 specifies the order in which funds from more than one source must be expended on a project.

This measure is effective upon passage and approval.

Assembly Bill 544

(Chapter 439, *Statutes of Nevada 2003*)

Establishes for the next biennium the rate paid for group insurance for active employees and retirees. The group insurance rates for active employees are \$495.68 per month in FY 2004 and \$558.07 per month in FY 2005. State subsidies for retirees are \$280.78 per month in FY 2004 and \$316.26 per month in FY 2005. The measure also increases the Retired Employees' Group Insurance assessment rate paid by state entities in FY 2004 from 1.49% to 1.66%, and further increases the rate in FY 05 from 1.66% to 1.88%. The measure also establishes funds administered by the Interim Finance Committee to assist state entities, including the UCCSN, with meeting any deficiencies created between the money appropriated and the requirement for the retiree assessments for classified and professional employees. For the upcoming biennium, the UCCSN state-supported budgets may be able to access, with the approval of the Interim Finance Committee, up to \$805,895 in FY 2004 and \$787,741 in FY 2005 for this purpose.

This measure is effective July 1, 2003.

Assembly Bill 553 (Appropriations Act)

(Chapter 327, *Statutes of Nevada 2003*) Contains the Legislatively-approved budget appropriations for all state agencies, including the UCCSN, for the 2003-2005 biennium. Section 44 of the measure also allows the

UCCSN to balance forward for a period up to two years the General Fund revenues located in the Special Projects budget that may be necessary to match research grants.

This measure is effective July 1, 2003, except the section of the bill concerning the \$1.6 million appropriation to the Legislative Fund that is effective upon passage and approval.

Assembly Bill 555 (Pay Bill)

(Chapter 441, *Statutes of Nevada 2003*)

Establishes the salary limits for employees working in the unclassified service of the state. Section 10 of the measure effects increases in salaries of approximately 2 percent beginning July 1, 2004, and appropriates from the State General Fund to the State Board of Examiners \$1,860,054 to meet any deficiencies for UCCSN's classified employees. A total of \$6,110,838 is appropriated directly to the UCCSN to accommodate the 2 percent salary increases for the professional employees. Section 15 of the measure requires the State Department of Personnel to complete a classification review of the University Police Officer classification series. If the Department's review results in recommendations to increase the grades of the various positions within the University Police Officer classification series, the UCCSN must present the recommendations to the Interim Finance Committee before implementing any grade increases. The grade increases may only be effective on July 1, 2004, and no additional funding will be appropriated during the biennium to cover the increases should they be approved.

This measure is effective July 1, 2003.

Senate Concurrent Resolutions

Senate Concurrent Resolution No. 3

(File No. 29, *Statutes of Nevada 2003*)

Instructs the Secretary of State to prepare and transmit a copy of SCR 3 to various individuals and organizations throughout the state, including the dean of the University of Nevada Cooperative Extension at the University of Nevada, Reno. The resolution notes that for at least two decades Nevada ranked at the top of the listing of states with high rates of suicide and maintained a suicide rate that is twice the national average. Therefore, SCR 3 urges each community in Nevada to form a coalition of agencies and service providers to reduce the number of suicides and provide support services for survivors.

Senate Concurrent Resolution No. 15

(File No. 62, *Statutes of Nevada 2003*) Encourages the Department of Human Resources to study the problem of alcohol and drug abuse by teenagers and young adults while driving motor vehicles. The resolution notes the Legislature's dedication to identifying underage drinking and drug use as a critical public health problem and its dedication to mobilizing and coordinating efforts and actions to prevent it. The measure resolves that the Secretary of State prepare and transmit a copy of SCR 15 to the Department of Education for dissemination to counselors at junior high and middle schools, high schools and charter schools; to the Board of Regents for dissemination to counselors at UCCSN institutions, and to various other education-related associations.

Senate Concurrent Resolution No. 19

(File No. 65, *Statutes of Nevada 2003*) Urges Chris

Ault and John Robinson, athletic directors for UNR and UNLV, to consider the feasibility of reuniting UNR and UNLV in the same athletic conference. If the teams are then united in the same conference, to schedule the annual rival football game between the two schools for the Saturday following the observance of Nevada Day.

Senate Concurrent Resolution No. 34

(File No. 52, *Statutes of Nevada 2003*) Commends Dorothy Gallagher for her 22 years of outstanding service as a member of the Board of Regents. A fourth-generation Nevadan, Dorothy Gallagher's endeavors focused on the interests of students in higher education. The resolution notes her commitment to building "a system of higher education in Nevada that people can be proud of." The Nevada Legislature recognizes that because of Dorothy Gallagher's work, the system of higher education in Nevada has made progress that will be a cornerstone for future generations.

Senate Bills

Senate Bill 62

(Chapter 175, *Statutes of Nevada 2003*) Requires that any university, state college, or community college within the University and Community College System of Nevada provide to certain students with "print access disabilities," at no cost, an electronic version of requested instructional material. Students making a request for such material must do so in writing. If the requested material is not currently available at the institution that receives the request or at another UCCSN institution, the campus must contact the publisher and request

an electronic version of the instructional material. If the publisher has an electronic version it must be provided to the institution for distribution to the student. If the publisher does not have an electronic version of the requested material, the institution must create and provide to the student in the timeliest manner possible an electronic version.

This measure is effective October 1, 2003.

Senate Bill 277

(Chapter 97, *Statutes of Nevada 2003*) Requires a “using agency” to purchase prescription drugs, pharmaceutical services, or medical supplies and related services through the Purchasing Division of the Department of Administration. For the purposes of this legislation, “using agency” is defined to include the University and Community College System of Nevada. Under certain circumstances, if a using agency can obtain the best value for prescription drugs, pharmaceutical services or medical supplies, it may purchase such from an entity other than the Purchasing Division.

This measure is effective July 1, 2003.

Senate Bill 297

(Chapter 257, *Statutes of Nevada 2003*) Makes various changes related to personal identifying information. The measure provides, in part, that a public officer or public employee who knowingly obtains personal identifying information of another person from any document, file, database, source, or process used by a public body and who uses such information for any unlawful purpose, including to obtain credit, a good, a service, or anything of value in the name of that person, is guilty of a category B felony and will be punished by imprisonment in the state prison for a minimum term of not less than five years and a maximum term of not

more than 20 years. In addition, a violator may be further punished by a fine of not more than \$100,000.

Further, a public officer or public employee who knowingly obtains any personal identifying information from any document, file, database, source or process used by a public body and possesses, sells, or transfers the personal identifying information for the purpose of establishing a false status, occupation, membership, license or identity for himself or any other person is guilty of a category C felony. For the purposes of this legislation, “public body” is defined to include the University and Community College System of Nevada.

This measure is effective October 1, 2003.

Senate Bill 309

(Chapter 387, *Statutes of Nevada 2003*) Creates the Advisory Committee on Participatory Democracy within the Office of the Secretary of State. Among its duties, the 10-member committee must assist the Secretary of State in identifying and proposing programs that support participatory democracy and propose solutions to any problems concerning the level of participatory democracy in this state. In addition, the committee must establish a “Jean Ford Democracy Award” to honor citizens who perform exemplary service in promoting participatory democracy in Nevada.

Further, SB 309 mandates that each local school district, with the assistance of the State Board of Education, the Board of Regents, the Commission of Professional Standards in Education, and the Nevada P-16 Council, prepare a report for the 2005 Session of the Nevada Legislature that evaluates the efforts currently in process to implement standards for the social studies curriculum offered in Nevada schools. The report must also include a clear

statement of the assessment standards that have been established to judge the educational progress of pupils in understanding civics and the skills and values of citizenship. Finally, the report must compare how the achievement of Nevada pupils in developing such understanding and skills compares with standards developed nationally to measure effectiveness of civics education.

In addition, the measure requires the State Board of Education and the Board of Regents to consider and make recommendation to the 2005 Session of the Nevada Legislature concerning how principles of participatory democracy can be better taught and practiced in schools, colleges, and universities in the State of Nevada.

This measure is effective October 1, 2003.

Senate Bill 317

(Chapter 259, *Statutes of Nevada 2003*) Among its provisions, requires the Department of Education to adopt regulations that establish a statewide program of education for incarcerated persons and to coordinate with and assist school districts in the operation of the program. The measure authorizes the Board of Regents, with the cooperation of the Department of Corrections, to offer courses that lead to a postsecondary degree for incarcerated persons in any facility or institution operated by the Department of Corrections.

This measure is effective July 1, 2003.

Senate Bill 352

(Chapter 417, *Statutes of Nevada 2003*) Designates the Nevada Cancer Institute as the official cancer institute of Nevada.

This measure is effective upon passage and approval.

Senate Bill 397

(Chapter 99, *Statutes of Nevada 2003*) Revises certain provisions governing registration and community notification of sex offenders and offenders convicted of a crime against a child. The measure provides that prior to imposing a sentence; the courts must inform defendants convicted of a sexual offense or a crime against a child of the duty to notify immediately the appropriate local law enforcement agency if the defendant is enrolled as a student at an institution of higher education. Local law enforcement must also be notified if the defendant changes the date of commencement or termination of his enrollment at an institution of higher education; or if the defendant is or expects to be employed at such an institution. Further, SB 397 requires local law enforcement to notify campus police departments under the aforementioned circumstances.

This measure is effective upon passage and approval.

Senate Bill 413

(Chapter 299, *Statutes of Nevada 2003*) Increases the authorized principal amount of bonds and other securities from a maximum of \$110.5 million to \$176 million for the University of Nevada, Reno, and increases the maximum from \$106.5 million to \$199 million for the University of Nevada, Las Vegas.

This measure is effective upon passage and approval.

Senate Bill 415

(Chapter 428, *Statutes of Nevada 2003*) Removes the restrictions on the use of the money in the Estate Tax Endowment, and requires the UCCSN to transfer to the State General Fund up to \$89.2 million from the Endowment. The

measure is necessary to implement the UCCSN budget approved by the 2003 Legislature, which converts to State appropriation both existing and new Estate Tax-funded positions and programs.

This measure is effective upon passage and approval.

Senate Bill 434

(Chapter 324, *Statutes of Nevada 2003*) Exempts from execution by creditors certain money held in trust forming part of a qualified tuition program under certain circumstances. The bill prevents a creditor from executing a judgment against a trust forming part of a qualified tuition program unless the money in the trust was deposited after entry of judgment, or the money on deposit will not be used by any beneficiary to attend college. The measure also revises the statutory form of a Notice of Execution for a writ of execution and a writ of attachment to include a listing of the types of accounts exempt from execution.

This measure is effective upon passage and approval.

Senate Bill 456

(Chapter 374, *Statutes of Nevada 2003*) Revises various provisions of the Uniform Athletes' Agents Act. The measure authorizes the Secretary of State to investigate any violation of the Act. At the request of the Secretary of State, the Attorney General may prosecute certain violations of the Act. In addition, the Secretary of State may issue a cease and desist order from any violations of the Act.

Further, S.B. 456 outlines sanctions for certain violations of the Act. The measure also specifies the type of information and documents that do not constitute public

information, and are therefore deemed confidential.

This measure is effective on October 1, 2003.

Senate Bill 503

(Chapter 471, *Statutes of Nevada 2003*) Relates to education providing for matters related to home schooling and the Millennium Scholarship. In particular, the bill revises the minimum qualifications to receive a Millennium Scholarship. The measure provides that applicants of 2003 or 2004 graduating class must have maintained in high school in the courses designated by the Board of Regents at least a 3.0 grade point average (GPA), applicants of the 2005 or 2006 high school graduating class must maintain at least a 3.1 GPA, and applicants graduating after 2007 must maintain at least a 3.25 GPA. In addition, students graduating from a public or private high school in Nevada after May 1, 2003, may not apply for the scholarship more than six years after his or her graduation from high school. Further, a student who receives a Millennium Scholarship must maintain at least a 2.6 GPA, a change from the former requirement of a 2.0 GPA.

The measure also requires the Board of Regents to designate the courses in which a student must earn the minimum GPA in high school. In addition, the Board may establish criteria with respect to the students who have been on active duty serving in the Armed Forces of the United States to exempt such students from the six-year limitation on applications.

This measure becomes effective July 1, 2003.

Senate Bill 504 (Authorizations Act)

(Chapter 328, *Statutes of Nevada 2003*)

Authorizes all non-appropriated expenditures by State agencies, which, for the UCCSN, includes expenditures supported by Student Fees and investment income. Section 8 of the measure also allows the UCCSN to expend excess student fee revenues on instructional needs without the approval of the Interim Finance Committee.

The primary provisions of this measure are effective July 1, 2003.

Senate Bill 507 (Capital Improvement Projects)

(Chapter 512, *Statutes of Nevada 2003*) Provides funding through the issuance of General Obligation Bonds for capital improvement projects. For the UCCSN, the projects total \$99.3 million, and include the Science, Engineering, and Technology Complex at UNLV, the Health Sciences Building at CCSN, FF&E for the Redfield Campus and the Telecommunications Building at CCSN, the Fire Flow Pump Station for TMCC and DRI, planning for the Student Services Addition at UNLV, and the Industrial and Electrical Technology Center at GBC. The Legislature also added additional funding beyond the State Public Works Board recommendation for planning the Science and Math Education Center at UNR, the recommendations of the Fire Marshall to retrofit UNR, the Maxey Building Renovations at DRI, land acquisitions for women's athletics at UNR, the Oral Health Clinic at GBC, the renovation of the former Mesquite High School for CCSN, security renovations for CCSN, the study and design of a Heart Transplant Facility at UNR, and

planning for the renovation of Getchell Library at UNR.

The measure also authorizes \$15.0 million in maintenance projects for the UCCSN financed through a combination of HECC (GOB) and SHECC Funds. Section 20 of the measure increases debt service by one cent, from the current level of 15 cents to a total of 16 cents, in order to finance the capital improvement projects.

This measure is effective upon passage and approval.

Overview of Enacted Legislation: 20th Special Session

Bill	Topic	Statutes of Nevada 2003
------	-------	----------------------------

Assembly Bills

AB 8	UNR School of Medicine Makes appropriations to the University of Nevada, Reno, for expenses of the Pediatric Diabetes and Endocrinology Center at the School of Medicine, to the University of Nevada School of Medicine for its residency program and to the Health Division of Department of Human Resources for certain HIV/AIDS services.	Chapter 8
AB 9	Waivers for Nevada National Guard Members Temporarily authorizes the Board of Regents of University of Nevada to waive registration and other fees for certain members of the Nevada National Guard.	Chapter 9
AB 11	UNR School of Medicine Makes various changes concerning access to health care services for persons in this state.	Chapter 11

Summary of Key Legislation: 20th Special Session

Following are summary reviews of the bills and resolutions enacted during the 20th Special Session of the Nevada Legislature that in some manner impact the University and Community College System of Nevada. These summaries do not constitute a legal analysis and are not intended to be used in place of the *Nevada Revised Statutes*.

Assembly Bills

Assembly Bill 8

(Chapter 8, *Statutes of Nevada 20th Special Session*) Appropriates \$44,772 from the State General Fund to the University of Nevada, Reno, for the operating expenses of the Pediatric Diabetes and Endocrinology Center at its School of Medicine. In addition, the measure appropriates \$250,000 to the School of Medicine for its residency program.

This measure is effective upon passage and approval.

Assembly Bill 9

(Chapter 9, *Statutes of Nevada 20th Special Session*) Authorizes the Board of Regents to waive the registration fees and other fees for certain members of the Nevada National Guard during the 2003-2005 biennium. To be eligible for the waiver, a person must be a member in good standing of the Nevada National Guard and maintain at least a 2.0 grade point average. A recruit who does not enter full-time National Guard duty within one year after enlisting due to his own accord must reimburse the Board for all fees waived.

This measure is effective upon passage and approval and applies retroactively from and after July 1, 2003, and expires by limitation on June 30, 2005.

Assembly Bill 11

(Chapter 11, *Statutes of Nevada 20th Special Session*) Establishes the Nevada Office of Rural Health within the University of Nevada School of Medicine to administer matters relating to the delivery of health care services to rural and frontier areas in this state. In addition, the measure establishes the Area Health Education Center Program within the School of Medicine to support education and training programs for students studying to become practitioners, or residents or practitioners who will provide or are providing health care services in medically underserved areas in this state, including urban and rural areas. Also within the School of Medicine, the bill establishes the Medical Education Council of Nevada to ensure that Nevada has an adequate, well-trained health care workforce to meet the needs of the residents of this state. Finally, AB 11 allows the School of Medicine to authorize the Nevada Health Services Corps to administer a program under which money for loans is repaid on behalf of a practitioner for each year he practices in an area of Nevada that a shortage of certain practitioners exists.

This measure is effective upon passage and approval.

UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA

Dr. Ron Remington, President
Community College of Southern Nevada

Dr. Paul Killpatrick, President
Great Basin College

Dr. Philip Ringle, President
Truckee Meadows Community College

Dr. Carol Lucey, President
Western Nevada Community College

•

Dr. Kerry Romesburg, President
Nevada State College

•

Dr. Carol Harter, President
University of Nevada, Las Vegas

Dr. John Lilley, President
University of Nevada, Reno

•

Dr. Stephen Wells, President
Desert Research Institute



NEVADA BOARD OF REGENTS



Dr. Stavros S. Anthony
Board Chair
District 12

Marcia R. Bandera
Vice Chair
District 8

Mark Alden
District 4

Dr. Jill Talbot Derby
District 9

Thalia Dondero
District 3



Douglas Roman Hill
District 11

Linda C. Howard
District 1

Dr. Thomas E. Kirkpatrick
District 13



Howard Rosenberg
District 10

Dr. Jack Lund Schofield
District 5

Douglas Seastrand
District 6



Steve Sisolak
District 7

Bret Whipple
District 2

